


FEB 07 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: 
DEPUTY CLERK

KYLE WENDELL SKEEN, III,
Petitioner,

Civil Action No. 7:07-cv-00583

v.

FINAL ORDER

MR. GENE M. JOHNSON,
Respondent.

By: Hon. Glen E. Conrad
United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the court's order [docket no. 6] of January 15, 2008, is **VACATED**; the above-referenced petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED** without prejudice, pursuant to Rule 4 of the Rules Governing § 2254 Cases, for failure to exhaust state court remedies; any pending motions are hereby **DENIED as MOOT**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this final order and the accompanying memorandum opinion to the petitioner.

ENTER: This 7th day of February, 2008.



United States District Judge